

Effective 7/1/2015

53A-13-109.5 American civics education initiative.

(1) As used in this section:

- (a) "Adult education program" means an organized educational program below the postsecondary level, other than a regular full-time K-12 secondary education program, provided by an LEA or nonprofit organization that provides the opportunity for an adult to further the adult's high school level education.
- (b) "Basic civics test" means a test that includes 50 of the 100 questions on the civics test form used by the United States Citizenship and Immigration Services:
 - (i) to determine that an individual applying for United States citizenship meets the basic citizenship skills specified in 8 U.S.C. Sec. 1423; and
 - (ii) in accordance with 8 C.F.R. Sec. 312.2.
- (c) "Board" means the State Board of Education.
- (d) "LEA" means:
 - (i) a school district;
 - (ii) a charter school; or
 - (iii) the Utah Schools for the Deaf and the Blind.

(2)

- (a) Except as provided in Subsection (2)(b), the board shall require:
 - (i) a public school student who graduates on or after January 1, 2016, to pass a basic civics test as a condition for receiving a high school diploma; and
 - (ii) a student enrolled in an adult education program to pass a basic civics test as a condition for receiving an adult education secondary diploma.
- (b) The board may require a public school student to pass an alternate assessment instead of a basic civics test if the student qualifies for an alternate assessment, as defined in board rule.

(3) An individual who correctly answers a minimum of 35 out of the 50 questions on a basic civics test passes the test and an individual who correctly answers fewer than 35 out of 50 questions on a basic civics test does not pass the test.

(4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules that:

- (a) require an LEA that serves secondary students to administer a basic civics test or alternate assessment to a public school student enrolled in the LEA;
- (b) require an adult education program provider to administer a basic civics test to an individual who intends to receive an adult education secondary diploma;
- (c) allow an individual to take a basic civics test as many times as needed in order to pass the test; and
- (d) for the alternate assessment described in Subsection (2)(b), describe:
 - (i) the content of an alternate assessment;
 - (ii) how a public school student qualifies for an alternate assessment; and
 - (iii) how an LEA determines if a student passes an alternate assessment.

Enacted by Chapter 316, 2015 General Session